

laws that protect pregnant women from assaults by abusive boyfriends or husbands, and now it is time for the Federal Government to do the same.

The Unborn Victims of Violence Act would make it a Federal crime to attack a pregnant woman in order to kill or injure her fetus. The bill would only apply in cases where the underlying assault is, in and of itself, a Federal crime, such as attacks by military personnel or attacks on Federal property.

This bill, introduced by my good friend the gentleman from South Carolina (Mr. GRAHAM), should have the support of everyone in Congress. Whether you are pro-life, such as myself, or pro-choice, we should all agree to protect young women from forced, cruel, and painful abortions.

All you have to do is ask the woman who just lost her child to such a violent attack. It is not the same thing as a simple assault. Clearly it is more serious and more emotionally jarring, and it should be treated accordingly.

Mr. Speaker, I strongly urge my colleagues to support this rule and to support the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlewoman for yielding me the customary 30 minutes.

Mr. Speaker, this is a modified closed rule that I will not actively oppose, but H.R. 503, the so-called Unborn Victims of Violence Act, deserves full and open debate. A truly open rule would have insured that no one was shut out of the process.

But everyone in the Chamber understands what is going on today. The majority did not bring this bill to the floor to protect pregnant women. The majority brought the measure to the floor today to launch its battle to end a woman's right to choose in the 107th Congress. But, more specifically, the majority is responding to the call of the National Right to Life Committee and their goal of achieving legal status and protections for a fetus.

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If passed, this bill would mark the first time that our Federal laws would recognize the fetus in early stages of gestational development as a person, a notion that the Supreme Court considered but rejected.

Mr. Speaker, H.R. 503 represents an effort to endow a fetus with rights, such as recognition as a crime victim, and to thus erode the fundamental premise of *Roe v. Wade*. Aside from this general concern, there is a real threat that the bill will spur the antichoice movement to use the legislation as a building block to undermine a woman's right of reproductive freedom.

The threat to *Roe v. Wade* could not be more clear. In *Roe*, the Court recognized a woman's right to have an abortion as a privacy right protected by the 14th amendment. In considering the issue of whether a fetus is a person, the Court noted that the unborn have never been recognized in the law as persons in the whole sense, and concluded that "person," as used in the 14th amendment, does not include the unborn.

The supporters of H.R. 503 would suggest that they are advancing the bill in an effort to combat domestic violence. If that is true, it is, at best, an awkward and, at worst, a dangerous effort. If the sponsors of H.R. 503 were truly concerned with the problem of violence against women, they would have supported full funding of the Violence Against Women Act. The amounts appropriated in the 2001 budget are more than \$200 million short of the authorization levels.

Mr. Speaker, a far more effective legislative alternative is available, which discourages crimes against pregnant women without undermining *Roe v. Wade*. Such an alternative is embodied in the Lofgren-Conyers substitute which defines the crime to be against the pregnant woman, whereas H.R. 503 makes the crime against the fetus. This distinction is a critical one because the substitute avoids the issue of "fetal rights" and "fetal personhood" that put the bill at odds with the principles of *Roe v. Wade*, medical science and common sense. Instead, the Lofgren-Conyers substitute recognizes it as the woman who suffers the injury when an assault causes harm to her fetus or causes her to lose the pregnancy.

The substitute also acknowledges the connection between the woman and her fetus without distinguishing the rights of one from the other. That is a very important point.

The substitute, therefore, accomplishes the stated goals of H.R. 503, deterring violent acts against pregnant women that cause injury to their fetuses or termination of a pregnancy.

Mr. Speaker, it is unfortunate that the majority's goal of averting violence against women in their developing pregnancies is secondary to the goal of undermining the reproductive rights of women. Rather than seeking to score points in the abortion debate, we invite the majority to join us in crafting legislation that protects women and mothers from violence that threatens all those who are under their care.

I would note that H.R. 503 is unanimously opposed by groups concerned about ending domestic violence and protecting a woman's right to choose, including the National Coalition Against Domestic Violence, the National Women's Law Center, the National Council of Jewish Women, the Planned Parenthood Federation of America, and the People for the American Way.

Mr. Speaker, I reserve the balance of my time.

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise in strong support of the rule for consideration of the bill, H.R. 503. The Unborn Victims of Violence Act is a carefully constructed piece of legislation that will help fill the gap in Federal law with regard to protecting unborn children from violence.

Current Federal law provides no additional punishment for criminals who commit acts of violence against pregnant women and kill or injure their unborn children. Thus, except in those States that recognize unborn children as victims of such crimes, injuring or killing an unborn child during the commission of a violent crime has no legal consequences whatsoever.

Mr. Speaker, H.R. 503 would correct this deficiency in the law by providing that an individual who injures or kills an unborn child during the commission of certain predefined violent Federal crimes may be punished for a separate offense.

I would like to reiterate what the gentlewoman from North Carolina said about a particularly heinous case. This legislation would ensure that prosecutors have the tools they need to prosecute criminals like Gregory Robbins, who was an airman at Wright-Patterson Air Force Base in my State of Ohio, when he wrapped his fists in a T-shirt to reduce the chance that there might be bruising and visible wounds on the mother of the child and beat his 8-months pregnant wife in the face and abdomen, and he killed the unborn baby in doing that.

Military prosecutors were able to charge Robbins for the death because under Ohio law, there is a fetal homicide law, and they were able to do so under the Uniform Code of Military Justice. But had Mr. Robbins committed this act just across the Ohio River, just across from my district which is Cincinnati, in Kentucky, a State which has no fetal homicide law, he would have received no additional punishment for killing the unborn child.

By enacting H.R. 503, Congress will ensure that violent criminals who commit violent acts against pregnant women are justly punished for injuring or killing those unborn children. Without the Unborn Victims of Violence Act, the crimes against these innocent victims will continue to go unpunished.

Mr. Speaker, I strongly support this rule, and I urge my colleagues to support the rule and H.R. 503 to provide meaningful protection for violence against unborn children. We ought to stop that in this country, and this is the appropriate legislation to do so.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.